THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 10378 OF 2006

DATED: 25-05-2006

BETWEEN:

C.Narsimulu

. PETITIONER

and

The District Collector and others

. RESPONDENTS

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 10378 OF 2006

ORDER:

The petitioner was elected as Sarpanch of Rusumpally Gram Panchayath of

Ganded Mandal, Ranga Reddy District. He was issued show cause notice dated 21.10.2005 in which it was alleged that the petitioner did not account for several SGRY, EFC and SFC funds. He was required to produce the connected records. The petitioner did not submit his explanation, nor did he produce the records. Therefore, the first respondent passed an order dated 15.04.2006 removing the petitioner from the office of Sarpanch in exercise of powers under sub-section (1) of Section 249 of A.P Panchayat Raj Act, 1994 and consequential notification is also issued; and the same is challenged in this writ petition.

Heard the learned counsel for the petitioner and learned Government Pleader for Panchayat Raj.

The learned counsel for the petitioner urged several contentions touching on the merits of the case as well as the relevant provisions of law. This Court is not inclined to deal with the same at this stage for the reason that the petitioner has alternative remedy of appeal under sub-section (7) of Section 249 of the A.P. Panchayat Raj Act, 1994. The appellate authority would be in a better position to deal with the matter from various angles.

Hence, the writ petition is disposed of giving liberty to the petitioner to avail the legal remedy available under the said Act. In case the petitioner files stay application along with the appeal, the appellate authority shall dispose of the stay application within 15 days from the date of its presentation.

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L.NARASIMHA REDDY,J

Dated: 25-05-2006

Kvrm/bsc